

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

NATIONAL DAY OF REMEMBRANCE FOR MURDER VICTIMS

Mr. CASEY. Mr. President, I rise to commemorate the National Day of Remembrance for Murder Victims which occurs in just a few days on September 25.

In 2007, the Congress passed the resolution designating the National Day of Remembrance and affirming two central truths. First, the murder of a loved one is an exceptionally difficult and devastating experience for that family, and, second, that support services are very important in helping victims' friends and families as they cope with the grief and loss.

Today in Washington we have family members who can attest to the devastation of losing a loved one. They are mothers, grandmothers, sisters, and other parts of the family, each of whom have lost a loved one to violence.

They have come together to form, in this case, a Philadelphia-based violence prevention group called Mothers In Charge. I cannot imagine the pain they suffer, but the sad truth is, their ranks grow every day in our country, where about 16,000 people are murdered each year, including over 600 just in Pennsylvania, according to the Centers for Disease Control and Prevention. Around two-thirds of these murders are committed with firearms.

These families know all the statistics, but the loved ones they lost aren't statistics, they are people and members of their family, and we need to remember that.

I came to the floor last week to talk about a particularly violent day in 1 city, Philadelphia, PA, in which 10 people were shot in 1 day and 5 were killed. Over the weekend, 5 more were killed and 14 wounded—just this past weekend. Two of those wounded were police officers who were targeted during a shooting rampage in Philadelphia that left another five wounded at that location.

The families and friends of the victims, like those who are with us in Washington today, will never be the same because they lost someone unique and special, someone who was the subject of their love and attention, someone whose future they invested in, believed in, and dreamed about until it was stolen away.

The resolution I referred to earlier, designating the National Day of Remembrance for Murder Victims, which passed the Senate in 2007, reminds us of our obligation to recognize the loss these families live with every single day.

The great recording artist Bruce Springsteen, after September 11, wrote a number of songs that referred to that horrific day and how the country was dealing with it. One song he wrote was

called "You're Missing." I will not go through the lyrics, but the refrain was just that, "you're missing." At one point in the song he says:

You're missing when I turn out the lights  
You're missing when I close my eyes—

And then he says—

You're missing when I see the sunrise.

That is the only way I can understand what these families have gone through. That person is missing from their lives every moment of every day, no matter where they are, whether they are falling asleep or waking up or leading their lives. So we have an obligation to remember those they lost and remember those who are in fact missing from the lives of those we think about today.

The second part of this resolution credits the support services that help grieving families. Facing pain and loss, families often need lots of help, whether that is counseling or crisis intervention or legal assistance or other services. This is also something the Philadelphia-based group Mothers In Charge know something about. These mothers took their pain and turned it into a force for good. They advocated for those affected by violence, and they provided counseling and grief support for those victims' families. They also work proactively to prevent violence by intervening with at-risk young people and working with elected officials and community leaders to create safer neighborhoods.

Today, as we commemorate the National Day of Remembrance for Murder Victims, we also express deep gratitude for the critically important work Mothers In Charge and their allied organizations are doing to prevent future tragedies.

As we commemorate the National Day of Remembrance, we must also talk about the types of weapons that took so many lives in the first place and that take more lives every day, firearms. About two-thirds of those 16,000 annual murders are committed using firearms. Tragically, the executive director of Mothers In Charge, Dorothy Johnson Speight, who joins us here today in Washington, knows something about this. Dorothy's son was shot and killed in a dispute over a parking space—a senseless murder of a good and innocent soul. There is no weapon as widely available and as dangerously lethal as a gun, of course, and if Dorothy's work has taught us anything, it is that when tragic murders occur, they are not occasions for grief alone but also a call to action.

That is why I will continue to advocate for commonsense gun reform—from expanding background checks to banning military-style weapons and large-capacity magazines, to the passing of legislation to close loopholes that allow suspected terrorists and violent hate criminals to acquire firearms. All of these measures will make us safer. As Dorothy has often said, gun violence is a public health crisis

with more than 33,000 people killed by the pull of a trigger each year in the United States of America. If we are to do our duty on behalf of our constituents, on behalf of hard-working members of Mothers In Charge and the countless others who have lost a loved one to gun violence as we approach the National Day of Remembrance, we must act to make our communities safer.

Thank you, Mr. President, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the motion to invoke cloture on the motion to proceed to H.R. 5325 ripen at 5:15 p.m. today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 39

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 11:15 a.m. on Wednesday, September 21, Senator PAUL or his designee be recognized to offer a motion to discharge S.J. Res. 39; that there be up to 3 hours of debate, equally divided between the proponents and the opponents, with Senator PAUL controlling 30 minutes of the proponents' time and Senator MURPHY controlling 15 minutes of the proponents' time; and that following the use or yielding back of that time, the Senate vote in relation to the motion to discharge.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Vermont.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 3359 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATION OF MERRICK GARLAND

Ms. STABENOW. Mr. President, it has been 187 days since President Obama nominated Merrick Garland to the Supreme Court. That is a long time. Since March 16, we have been waiting for a hearing. It is really extraordinary when you think how long we have seen the third branch of government unable to fully function because of inaction in the U.S. Senate.

Republicans have a constitutional duty to uphold, and they have not done their job. We all have that constitutional duty. We are standing at the ready. We are willing to remain here in session until we can get this done. We need a hearing now. We need to get Merrick Garland on the Court before the Court begins its new session on October 1. Unfortunately, we are likely to leave—maybe at the end of this week or next week—without a hearing.

The Republican leadership's inability to consider Garland's nomination puts the Court at frequent risk of deadlock, which is not in the interest of families or of those whose interests are coming before the U.S. Supreme Court. It is a shame because Merrick Garland is a uniquely qualified jurist. In fact, Republican colleagues have noted his qualifications in the past, but the reason Republicans haven't acted is simple, unfortunately, and that is a political calculation.

When we look at the Court on October 1, when they are seated, it will look like this, with a vacant chair. The question is, Whom are they holding the chair for? I envision behind this chair a shadow of the Republican nominee—someone who is standing behind there. And it is clear that Republicans in the Senate are holding this seat open for Donald Trump, the Republican nominee, in hopes that he will be the next President.

I am not sure about you, but when it comes to filling this empty seat, "Celebrity Apprentice: Supreme Court Edition" is not a show I want to watch, and it is certainly not a show that the American people will benefit from.

Many of my Republican colleagues also recognize that the nominee for President on their side poses a risk to our judicial system. When the Republican nominee attacked a Federal judge's impartiality on the basis of his parents' ethnicity, the majority leader said he "couldn't disagree more with a statement like that."

Why then would he leave this seat open for that person to fill? How can you justify allowing someone to nominate a Justice to the highest Court in the land when it is clear that nominee has no respect for the judiciary as an institution?

Another one of my Republican colleagues described the Republican nomi-

nee's comments—one of many of his comments, but described one set of comments as "the literal definition of racism." Yet that person is supporting Donald Trump, and they are holding a seat open for this person who has said things that are literally the definition of racism. This colleague actually at some point came out on the record as not supporting the nominee, and he has been joined by other Republican Senators. Yet they potentially keep a seat open for this person to fill on the highest Court in the land.

Another Member of this body has referred to the Republican nominee as "a pathological liar" who "doesn't know the difference between truth and lies." Senate Republican colleagues can't justify holding up Judge Garland's confirmation, but all of my Republican colleagues are doing that, hoping that Mr. Trump is the person who gets to nominate this Justice in January. It makes no sense.

They all remain unified in their opposition to Judge Garland, who is one of the most qualified and well-respected judges of this generation. They are unified in not moving forward, even though many of them have said very positive things about him in the past, and I would expect to see that in the future. I have to wonder what exactly those Senators—especially the ones who are opposing their party's nominee—are waiting for because it is obvious to me that just about every Member of this body believes that Judge Garland would do an excellent job on the Court.

I call on all Republican colleagues to do their job to hold a hearing to bring this nomination to the floor as quickly as possible, to not hold open a spot on the highest Court in the land for someone who many of them have been running to distance themselves from.

This is a very serious issue. We talk a lot about the Constitution around here. We have three branches of government, and one right now cannot fully function in the public's interests on behalf of businesses, families, young people, older people, and children because they don't have the full membership of the Court. It is our job in the U.S. Senate to make sure they have all of the members present when the new Court sits, starting on October 1.

I say to my colleagues on the other side of the aisle: Do your job. Now is the time to do your job. The American people expect us to do our jobs. Do your job and don't hold a seat open for the Republican nominee, whom so many of you have expressed such displeasure for. It is time to do your job as the Republican majority in the U.S. Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO BECKY FLEESON

Mr. MCCONNELL. Mr. President, I would like to say a few words about a member of my staff who will soon be leaving. Becky Fleeson, our director of administration, is the embodiment of a servant leader. She is tenacious, she is dedicated, she is loyal, and she cares.

Becky is exactly the type of person you want battling for your team. For nearly a decade, I have been fortunate to have her on mine. Becky is more interested in getting the job done than in taking credit for it. She doesn't back down easily. She can be tough too. That is part of her job description, but if you want to know the truth, Becky is actually a bit of a softie.

She is also a bit of a prankster. Becky is usually someone you would trust with sensitive tasks without a second thought, but on April Fools' Day you can't trust her for a second. Take this year, for example, when Becky tried to convince us she was pregnant. Turned out she actually was and didn't know it at the time. Seems the Guy upstairs has a sense of humor as well.

Well, Becky would tell you her life has never been the same since she and her husband George welcomed little Winnie into their lives. Now they are preparing to welcome Baby Fleeson No. 2 in just a few months.

It has really been something to watch Becky mature over the years, from a fresh-faced college grad to a seasoned professional, honorary Kentuckian, and dedicated wife and mother. When confronted with hardship along the way, Becky has fought through with grace and with strength—and the support of her fellow McTeamers.

I know Becky loves her colleagues, I know Becky loves the Senate, but most of all, I know Becky loves her family. So when Becky told me she was ready to dedicate herself full time to raising her kids, I couldn't have been happier for her. We will all miss her good humor, her work ethic, and her integrity. And later this afternoon, we will look forward to celebrating her.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

#### OBAMACARE

Mr. GARDNER. Mr. President, in Washington, DC, today is just another day of bureaucratic rollouts, regulatory nightmares, and government overreach, but if you are in Colorado today, it is also sticker shock day because today the people of Colorado found out—thanks to the new numbers just confirmed by the Colorado Division of Insurance—that if you live in

that State, you are going to be paying, on average, an additional 20.4 percent for your health insurance this coming year under ObamaCare. That is the individual rate that was just confirmed for the 2017 plans—a 20.4-percent increase.

Remember the promises that were made when ObamaCare was put into law in the most partisan of fashions. The promise that if you like your doctor, you can keep your doctor has been proven untrue. And if you like your health care plan, you can keep your health care plan has been proven untrue. Why do we know that? Because in Colorado alone, over the past 3 years, over 750,000 Coloradans have had their insurance plans canceled.

Let's just go through those numbers. Over 92,000 people with individual plans from UnitedHealthcare, Humana, Rocky Mountain Health Plans, and Anthem will be forced to find new plans in 2017. In May, UnitedHealthcare and Humana announced they were not going to be offering plans in Colorado at all. We have seen Aetna reduce significantly the number of plans they will be offering. We know the health care co-op in Colorado collapsed because it was unsustainable thanks to the way ObamaCare was designed, costing over 80,000 Coloradans their health insurance. Back in August of 2013, we saw hundreds of thousands more in Colorado lose their health insurance. That doesn't sound like a promise that has been kept to me. That is a promise that has been broken.

We also know ObamaCare promised it would reduce the premiums by \$2,500 per family. Yet here we are today talking about a 20.4-percent rate increase on the Colorado people alone. We know from studies that one-third of Colorado counties aren't even going to have a choice of more than one insurance provider to choose from. Despite the third ObamaCare promise that the people of this country would have more opportunities to buy different insurance products, more choice, more consumer insurance options, over one-third of the counties in this country will have only one choice or perhaps even fewer.

That is why two pieces of legislation introduced in recent days by Senator McCAIN and Senator SASSE are so important. What do they do? Senator SASSE has introduced legislation that says if an insurance increase is more than 10 percent, then you don't have to abide by the individual mandate forcing people to pay these outrageous increases thanks to ObamaCare. It also says, if you are paying 8 percent of your income in insurance premiums, you don't have to abide by the mandate of ObamaCare. It gives people the ability to actually have that financial certainty they are looking for—the certainty ObamaCare promised but failed to deliver.

Senator McCAIN's legislation says, if a county has one or fewer health insurance options to choose from, they also will receive relief from ObamaCare's individual mandate.

These are important because in States such as Colorado, the government is forcing you to pay at least 20.4 percent more if you are in the individual market. That is the average rate increase. While the 20.4-percent increase in the 2017 plans is certainly a significant amount, that is on top of last year's rate increases. If you live on the Western Slope of Colorado, last year you saw average premium rates in the individual market increase by 25.8 percent. One of the most expensive markets in the country is the Western Slope of Colorado—the mountains of our State.

We have not been able to break down what it means for the Western Slope. That individual impact might even be higher for Colorado's Western Slope. We don't have those numbers broken down because it was just released today—this massive increase under ObamaCare—but if you just take the statewide average of the individual plan with a 20.4 percent, along with the 25.8 percent from last year, that is an almost 50-percent increase in insurance over the past 2 years. In 2017, it will increase 20.4 percent, on average, and this past year it increased 25.8 percent. That is a nearly 50-percent increase.

The people of Colorado can't afford ObamaCare. ObamaCare can't keep its promises. We have to find real solutions for the American people, and I urge the President to come forward with the acknowledgment that his signature law is a signature failure.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, in order to have a quick discussion with colleagues about the state of play on the short-term CR, we will push the vote back a few minutes.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MCCONNELL. Therefore, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 5:10 p.m., recessed subject to the call of the Chair and reassembled at 5:39 p.m. when called to order by the Presiding Officer (Mr. GARDNER).

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, we just had another good conversation on

this side with our Members and are now prepared to proceed to the bill that we used as a shell for the CR-Zika legislation.

I might say to all of our Members that we continue to work toward an agreement on the legislation. We hope to have that completed and available for review very soon. With a little cooperation on both sides, I think we can get that finished and begin the debate.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 516. H.R. 5325, an act making appropriations for the Legislative Branch for fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Mike Rounds, Marco Rubio, Cory Gardner, Pat Roberts, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines, Daniel Coats, John Thune, Thad Cochran, Susan M. Collins.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 5325, an act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) and the Senator from Virginia (Mr. Kaine) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. Kaine) would vote "yea."

The yeas and nays resulted—yeas 89, nays 7, as follows:

[Rollcall Vote No. 144 Leg.]

#### YEAS—89

Alexander	Collins	Heitkamp
Ayotte	Corker	Hirono
Baldwin	Cornyn	Hoeven
Barrasso	Cotton	Inhofe
Bennet	Crapo	Isakson
Blumenthal	Daines	King
Blunt	Donnelly	Kirk
Booker	Durbin	Klobuchar
Boozman	Enzi	Leahy
Boxer	Ernst	Manchin
Brown	Feinstein	Markley
Burr	Fischer	McCain
Cantwell	Flake	McCaskill
Capito	Franken	McConnell
Cardin	Gardner	Menendez
Carper	Gillibrand	Merkley
Casey	Graham	Mikulski
Cassidy	Grassley	Moran
Coats	Hatch	Murkowski
Cochran	Heinrich	Murphy